

ANTHONY PORTER, )  
 )  
 Plaintiff, )  
 )  
 v. ) No. 1:18-CV-00139-AGF  
 )  
 CAPE GIRARDEAU COUNTY )  
 SHERIFF'S OFFICE, et al., )  
 )  
 Defendants. )

This matter is before the Court on the motion (ECF No. 52) to compel filed by Plaintiff, pro se, on July 1, 2019. On May 29, 2019, the Court granted Plaintiff's motion for appointment of counsel. ECF No. 48. The Clerk of Court issued a Notice of Appointment of Pro Bono Counsel on June 3, 2019 (ECF No. 5), and on June 4, 2019, the Clerk sent a copy of the Court file to appointed counsel. Appointed counsel has now entered his appearance on behalf of Plaintiff. ECF No. 51. In light of the appointment of counsel, the Court will deny Plaintiff's pro se motion. Plaintiff may seek relevant discovery through appointed counsel and in accordance with the Federal Rules of Civil Procedure.

The Court also notes that, in its Order granting Plaintiff's motion for appointment of counsel, it required appointed counsel to file an amended complaint within 28 days of receipt of a copy of the Court file. The Court denied without prejudice a motion to dismiss Plaintiff's pro se amended complaint, subject to reconsideration if appointed


counsel failed to timely file an amended complaint. Appointed counsel has not yet filed an amended complaint.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's pro se motion to compel is **DENIED**. ECF No. 52.

**IT IS FURTHER ORDERED** that appointed counsel shall file an amended complaint on behalf of Plaintiff no later than **July 31, 2019**. If an amended complaint is not timely filed, the Court may reconsider the motion to dismiss filed by Defendants Cape Girardeau County, Captain James P. Mulcahy, Sheriff John Jordan, and Captain Ruth A. Dickerson (ECF No. 32).

**IT IS FURTHER ORDERED** that, if they have not done so already, appointed counsel and defense counsel shall promptly meet and confer as to whether any amendment to the Case Management Order is necessary.

  
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AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 2nd day of July, 2019.